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prohibited by court order

STATEMENT IN
SUPPORT OF PROBABLE CAUSE

5:24MJ436

IN RE: Ricardo ESTEVIS Jr.

I, Gerardo Morales, declare and state as follows:

Prior to March 11, 2024, ATF agents were advised by U.S. Department of Homeland Security (DHS) agents that Defendant Ricardo ESTEVIS, Jr., (ESTEVIS) had applied for a position with DHS and during a polygraph examination ESTEVIS admitted that he had sold a "Sig P365" to a neighbor knowing or having reason to believe that the neighbor was a convicted felon. Specifically, ESTEVIS told the examiner that Ibarra did not want to have a background check conducted as part of the handgun purchase. ESTEVIS stated that he knew that Ibarra was probably a felon. As a result, ESTEVES suggested that the handgun transfer be conducted as a private sale which would avoid a formal background check which would disclose Ibarra's prohibited status.

ATF agents identified the neighbor as Rolando Javier Ibarra. A review of Ibarra's criminal record revealed five felony convictions out of two state district courts in Webb County between 2004 and 2011. As a result, Ibarra has been prohibited by federal law since 2004 from possessing a firearm or ammunition.

On March 11, 2024, federal, state and local agents and investigators obtained and executed a federal search warrant at the residence of Rolando Javier Ibarra with an address on the 5700 block of Springfield Rd., in Laredo, Texas.

Inside a safe, agents and investigators found six handguns, including a Sig Sauer, model P365, 9-millimeter handgun, serial number 66B772266, (handgun) along with a "Bill of Sale for Gun" dated February 6, 2024, for that handgun. The bill of sale records that Defendant Ricardo ESTEVIS, Jr., a federal firearms licensee with a home-based business at the 5800 block of Springfield Ave., Laredo, Texas, sold the handgun to Ibarra for \$500 USD as a private sale without following the required procedure to have Ibarra prepare an ATF Form 4473 and ESTEVES conduct a background check. The one-page bill of sale conspicuously displays the following language:

"Buyer certifies that he/she not(sic) restricted or forbidden by law to own a firearm and buy state(sic) that he/she:

- Has **NEVER** been convicted in any court of a crime punishable by imprisonment for a term exceeding 1 year.
- . . .
- **CAN** lawfully receive, possess, ship or transport a firearm."

On March 11, 2024, during a post-Miranda interview, Ibarra told FBI and ATF agents that prior to purchasing the handgun from ESTEVIS, Ibarra advised ESTEVIS that Ibarra was a convicted felon and could not legally purchase a firearm. ESTEVIS then produced and ESTEVIS filled out the bill of sale at ESTEVIS's home. ESTEVES signed and dated the bill of sale, and asked Ibarra to do the same. Ibarra signed the bill of sale and paid ESTEVIS in cash. ESTEVIS then gave the handgun to

Attachment A

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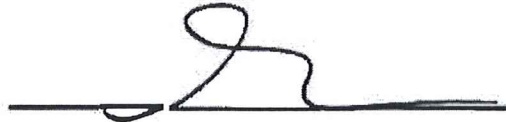
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A formal examination of the firearm indicated that the Sig Sauer, model P365, 9mm pistol, bearing serial number 66B772266 was manufactured outside of the state of Texas, therefore traveling in or affecting interstate commerce.

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I, Gerardo Morales, do swear that these statements are true and correct to the best of my knowledge. Signed on April 9, 2024.



Gerardo Morales, ATF Task Force Officer

Having reviewed the foregoing declaration, I find probable cause that the defendant(s) named above committed an offense against the laws of the United States and may therefore be further detained pending presentment before a judicial officer

Executed on the 9th day of April, 2024



UNITED STATES MAGISTRATE JUDGE

P.C. found on 4/9/2024 a 4:54 PMt